

**UNITED STATES DISTRICT COURT**

MIDDLE DISTRICT OF ALABAMA  
OFFICE OF THE CLERK  
POST OFFICE BOX 711  
MONTGOMERY, ALABAMA 36101-0711

DEBRA P. HACKETT, CLERK

TELEPHONE (334) 954-3600

May 13, 2008

**SECOND NOTICE OF DEFICIENCY**  
**REGARDING**  
**CONFLICT STATEMENT**

**To:** Dallas C. Caviness

**From:** Clerk's Office

**Case Style:** Trustees of the National Elevator Industry Pension Fund v. Caviness, et al.

**Case Number:** 2:08-cv-00162-MEF

Notice was previously sent to you advising that pursuant to the Federal Rules of Civil Procedure 7.1, and this Court's General Order Miscellaneous Case No. 00-3047 parties are required to file their Corporate/Conflict Disclosure Statement at their initial appearance.

**No corporate/conflict disclosure statement has been filed by you in this action.**

You have FAILED to comply with the previous notice from this office. You are required to correct this deficiency immediately. Unless you comply with this Court's General Order No. 00-3047 within 10 calendar days of the date of this notice, your continued disregard of this Court's orders will be brought to the attention of the presiding judge for further action which may include sanctions or other action the Court deems appropriate.

Please refer to attachment.

**cc: Chief Judge Mark E. Fuller**

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA

Civil Misc. No 00-3047

**ORDER**

**CONFLICT DISCLOSURE STATEMENT**

In compliance with Fed. R. App. P. 26.1, Fed. R. Bankr. P. 1007(a)(1) and 7007.1, Fed R. Civ. P. 7.1, and Fed. R. Crim. P. 12.4, and other considerations which require judges to avoid conflicts of interest with unnamed corporations, partnerships, limited liability entities, joint ventures, trust entities, and other entities which may be related to parties to actions in this court, it is

ORDERED that this court's order (Civ. Misc. No. 00-3047) (Doc. # 2) entered February 16, 2007, is hereby VACATED. It is further ORDERED as follows:

1. All parties (including individuals and governmental entities) shall file a statement identifying all parent companies, subsidiaries, partners, limited liability entity members and managers, trustees (but not trust beneficiaries), affiliates, or similar entities that could potentially pose a financial or professional conflict for a judge. The statement shall be filed with a party's first appearance. If there are no reportable relationships, that fact shall be certified in the filing.
2. In addition to this requirement which applies to all cases, all bankruptcy appeals shall be accompanied by a statement identifying the debtor, the members of creditors' committee, any entity which is an active participant in the proceedings, and other entities whose stock or equity value may be substantially affected by the outcome of the proceedings.
3. It is the responsibility of each party to a case to file a supplemental disclosure statement if, during the pendency of the case, additional reportable entities develop that would have been reportable initially.

4. This rule shall become effective on the date of filing, and shall apply to all cases pending in this court after that date.

DONE this 12<sup>th</sup> day of June, 2007

/s/ Mark E. Fuller  
CHIEF UNITED STATES DISTRICT JUDGE

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE

/s/ W. Keith Watkins  
UNITED STATES DISTRICT JUDGE

**Note:** When E-Filing this pleading, please enter a separate docket entry. The event entry is located on CM/ECF by clicking: **CIVIL > OTHER DOCUMENTS > CORPORATE DISCLOSURE STATEMENT**. A screen-fillable Adobe Acrobat PDF form, which can be saved and E-Filed, is available on-line; it is available at [http://www.almd.uscourts.gov/docs/CONFLICT\\_DISCLOSURE\\_STATEMENT\\_FILLABLE.pdf](http://www.almd.uscourts.gov/docs/CONFLICT_DISCLOSURE_STATEMENT_FILLABLE.pdf)

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
DIVISION

---

Plaintiff, )  
v. )  
Defendants, )  
CASE NO. \_\_\_\_\_

## **CONFLICT DISCLOSURE STATEMENT**

COMES NOW \_\_\_\_\_, a [Plaintiff/Defendant] in the above-captioned matter, and in accordance with the order of this Court, making the following disclosure concerning parent companies, subsidiaries, partners, limited liability entity members and managers, trustees (but not trust beneficiaries), affiliates, or similar entities reportable under the provisions of the Middle District of Alabama's General Order No. 3047:

- This party is an individual, or
  - This party is a governmental entity, or
  - There are no entities to be reported, or
  - The following entities and their relationship to the party are hereby reported:

## Reportable Entity

### Relationship to Party

---

---

---

---

---

---

---

---

---

---

---

Date

Signature  
Counsel

---

Counsel for (print names of all parties)

---

Address, City, State Zip Code

---

Telephone Number

Also requires a certificate of Service